Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Withdrawn) A therapeutic agent for solid tumors, said agent comprising as an active ingredient, an antibody that specifically binds to a protein having the amino acid sequence as set forth in SEQ ID NO: 2 or an antibody fragment that maintains the antibody activity.

2. (Withdrawn) The therapeutic agent according to claim 1 in which said antibody is a monoclonal antibody.

3. (Withdrawn) The therapeutic agent according to claim 1 in which said antibody is a chimeric antibody comprising the constant region of a human antibody and the variable region of a mouse antibody.

4. (Withdrawn) The therapeutic agent according to claim 1 in which said antibody is a humanized antibody comprising the complementarity determining region of a mouse antibody and the framework region and the constant region of a human antibody.

5. (Withdrawn) The therapeutic agent according to claim 1 in which said antibody is a human antibody.

6. (Withdrawn) The therapeutic agent according to claim 1 in which said antibody fragment is a Fab, Fab', $F(ab')_2$ or Fv fragment.

7. (Withdrawn) The therapeutic agent according to claim 1 in which said solid tumor is head and neck cancer, small cell lung cancer, non-small cell lung cancer, esophageal cancer, breast cancer, gastric cancer, colon cancer, rectal cancer, hepatic cancer, biliary tract cancer, pancreatic cancer, ovarian cancer, cervical cancer, endometrial cancer, prostate cancer, kidney cancer, bladder cancer, skin cancer, brain tumor, pediatric solid tumor, malignant bone tumor, or a metastatic cancer of these solid tumors.

8-14. (Cancelled)

15. (Previously Presented) A therapeutic method for solid tumors, comprising administering to a subject in need of such therapy, an antibody that specifically binds to a

protein having the amino acid sequence as set forth in SEQ ID NO: 2 and having ADCC activity.

16. (Original) The method according to claim 15 in which said antibody is a monoclonal antibody.

17. (Original) The method according to claim 15 in which said antibody is a chimeric antibody comprising the constant region of a human antibody and the variable region of a mouse antibody.

18. (Previously Presented) The method according to claim 15 in which said antibody is a humanized antibody comprising the 6 complementarity determining regions of a mouse antibody and framework region of a human antibody and the constant region of a human antibody.

19. (Original) The method according to claim 15 in which said antibody is a human antibody.

20. (Canceled)

21. (Previously Presented) The method according to claim 15 in which said solid tumor is head and neck cancer, small cell lung cancer, non-small cell lung cancer, esophageal cancer, breast cancer, gastric cancer, colon cancer, rectal cancer, hepatic cancer, biliary tract cancer, pancreatic cancer, ovarian cancer, cervical cancer, endometrial cancer, prostate cancer, kidney cancer, bladder cancer, skin cancer, brain tumor, pediatric solid tumor, malignant bone tumor, or a metastatic cancer of these solid tumors.

22. (Previously Presented) The method according to claim 15 in which said solid tumor is breast cancer or ovarian cancer.

23. (Withdrawn) The method of claim 21, in which the non-small cell lung cancer is squamous-cell carcinoma, adenocarcinoma, large cell carcinoma, adenosquamous carcinoma, and polymorphic sarcomatoid cancer, or cancer containing sarcoma components.

24. (Currently Amended) **A therapeutic method for solid tumors, comprising administering to a subject in need of such therapy, an antibody that specifically binds to a protein having the amino acid sequence as set forth in SEQ ID NO: 2 and having**

ADCC activity ~~The method according to claim 16~~, wherein the antibody binds to the same epitope as an epitope bound by the antibody produced by the hybridoma deposited as FERM BP-5233.

25. (Previously Presented) The method according to claim 24, wherein the antibody is a chimeric antibody or a humanized antibody.

26. (Currently Amended) The method according to claim 16, wherein the antibody ~~is encoded by the gene comprising the~~ **comprises a** variable region ~~comprising~~ **containing the three light chain** CDRs of the anti-HM1.24 antibody **and a variable region containing the three heavy chain CDRs of the anti-HM1.24 antibody, and wherein the anti-HM1.24 antibody** ~~which~~ is produced by the hybridoma deposited as FERM BP-5233.

27. (Currently Amended) The method according to claim 26, wherein ~~the gene encoding~~ the antibody comprises ~~the~~ **a** constant region Cγ1 or Cγ3 of ~~the anti-HM1.24~~ **a** human antibody.

28. (Previously Presented) The method according to claim 27, wherein the antibody is a chimeric antibody or a humanized antibody.